

UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

In re

DAVID EATON LAKE
SANDRA RENEE LAKE

Case No. 10-30145

Chapter 13

Adjustment of Debts

ORDER DENYING WINGSPAN PORTFOLIO ADVISORS MOTION
FOR DISBURSEMENT OF UNCLAIMED FUNDS

On this day the Court considered the Motion for Payment of Unclaimed Funds filed by Wingspan Portfolio Advisors on January 13, 2015. The Court has determined that the Creditor's Motion is deficient for the reasons indicated below and is not in compliance with 28 U.S.C. 2042 and Local Rule 3011-1 for the following reasons:

- ☐ the motion was not served upon the [U.S. Attorney], [Debtor's Counsel], [Debtor], [Joint-Debtor]
- ☐ the motion was not accompanied by a certificate of service
- ☐ the motion did not allow twenty-one(21) days for objections
- ☒ supporting documents establishing ownership or entitlement were not attached
- ☒ state brief history of the claim from the date of filing of the claim to present(to reflect possible reasons for the funds not being deliverable at the time of original distribution
- ☐ the corporation is not represented by local counsel
- ☒ failed to provide copy of power of attorney
- ☐ other: _____

Accordingly it is,

ORDERED that the motion of Wingspan Portfolio Advisors for payment of unclaimed funds is hereby denied without prejudice to re file such motion for payment in accordance with 28 U.S.C. 2042 and Local Rule 3011-1. It is Further

ORDERED that the Clerk shall proceed the above styled case to closure.

ENTERED:

FEB 26 2015



RONALD G. PEARSON, JUDGE

